

STAND. COM. REP. NO.

3011

Honolulu, Hawaii

MAR 19 2008

RE: H.B. No. 3367
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and
Affordable Housing, to which was referred H.B. No. 3367, H.D. 2,
entitled:

"A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911,"

begs leave to report as follows:

The purpose of this measure is to ensure that the Wireless
Enhanced 911 Fund is administered properly and in an effective
manner by requiring the Auditor to conduct a financial and
management audit of the Wireless Enhanced 911 Fund.

Testimony in support of this measure was submitted by the
Department of Accounting and General Services; and the Honolulu
Police Department, City and County of Honolulu.

The Wireless Enhanced 911 Fund was established under section
138-3, Hawaii Revised Statutes, to ensure adequate recovery for
the deployment of phase I and phase II wireless enhanced 911
services. Currently, wireless enhanced 911 services are available
through all carriers on all islands, except for the island of
Molokai, which has one wireless carrier remaining to be
implemented. Your Committee finds that requiring the Auditor to
conduct a financial and management audit of the Wireless Enhanced
911 Fund will ensure that the purposes and intent of establishing
the fund are fulfilled.



Your Committee notes that the amount of funds required to implement phases I and II of the wireless enhanced 911 services is less than originally forecasted. Because certain wireless service providers have chosen not to seek reimbursement for wireless 911 deployment costs from the Wireless Enhanced 911 Fund, your Committee further finds that reducing the surcharge imposed on every commercial mobile radio service connection will reimburse the public. Your Committee further notes that the reduction in the surcharge amount will take into account the amount of funds needed to complete statewide deployment, operate, and maintain the wireless enhanced 911 systems, and allow for future enhancements to the system due to technological advancements.

Accordingly, your Committee has amended this measure by:

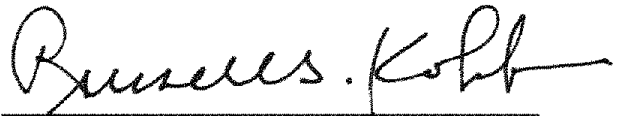
- (1) Inserting section 1 of S.B. No. 2958 S.D. 1, which amends section 138-4, Hawaii Revised Statute to decrease the surcharge tax assessed to customers from \$0.66 to \$0.43 per month for each commercial mobile radio service connection;
- (2) Adding language that requires the Auditor to determine whether the surcharge tax assessed to customers is sufficient to fund the Wireless Enhanced 911 Fund, and, if not, to recommend an appropriate surcharge tax amount; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee believes that this measure, as amended, fulfills its intent, which is to ensure that the Wireless Enhanced 911 Fund is administered properly and in an effective manner.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3367, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3367, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Affordable
Housing,




RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Commerce, Consumer Protection and Affordable Housing
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 3367 HD2	CPH, WAM	3/13/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended <small>2312</small> <input checked="" type="checkbox"/> Pass, with amendments <small>2311</small> <input type="checkbox"/> Hold <small>2310</small> <input type="checkbox"/> Recommit <small>2313</small>				
Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, Russell S. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will				✓
IHARA, Jr., Les				✓
SAKAMOTO, Norman				✓
TANIGUCHI, BRIAN T.	✓			
TRIMBLE, Gordon	✓			
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes